IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO. 101 OF 2007

IN

WRIT PETITION NO. 2553 OF 2003

Motiram S. Thakare. .. Appellant.

vs.

M/s. Central Group

& Ors. .. Respondents.

None for Appellant.

Ms. Nayana Thathe for Respondents.

..

CORAM: J.N. PATEL &,

A.A. SAYED, JJ.

DATE: 17TH JULY, 2007.

P.C.

. Heard.

2. In spite of repeated last chances given to the appellant, none appears for the appellant.

3. This appeal is preferred impugning the decision of the learned Single Judge in a group of petitions

disposed of by a common order dated 19th January, 2005 wherein the learned Single Judge of this Court by relying on a catena of decisions has held that an application under Section 33 C (2) of the Industrial Disputes Act, is not maintainable if the claim made by the workman is not quantified or computed after adjudication. We do not find that the view taken by the learned Single Judge in the matter calls for any interference as the law is now well settled and reiterated by the Hon'ble Supreme Court in the recent decisions in the case of Union of India and Another vs. Kankuben (dead) by LRs. & Ors. reported in (2006) 9 SCC 292 and in the case of U.P. State Road Transport Corporation vs. Birendra Bhandari reported in (2006) 10 SCC 211. Therefore, the Letters Patent Appeal is dismissed. No order as to costs.

4. The Court had ordered that this LPA be heard along with L.P.A. No. 318 of 2004. As this Court has dismissed L.P.A. No. 101 of 2007, L.P.A. No. 318 of 2004 be listed separately for hearing.

(J.N. Patel, J.)

(A.A. Sayed, J.)